

**MONDAY, MARCH 18, 2002**

**SEVENTY-NINTH LEGISLATIVE DAY**

The House met at 5:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Reverend Vincent Cummings, Calvary Baptist Church, Nashville, Tennessee.

Representative Turner (Davidson) led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present.....94

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Wood, Mr. Speaker Naifeh -- 94.

**EXCUSED**

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Johnson; personal reasons.

Representative Langster; illness.

Representative Ridgeway; business reasons.

Representative Towns; personal reasons.

Representative Winningham; family death.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 745:** Rep(s). Maddox as prime sponsor(s).

**House Bill No. 2897:** Rep(s). Maddox, Kent, Westmoreland, Rinks, Montgomery and Roach as prime sponsor(s).

**House Bill No. 3120:** Rep(s). Black as prime sponsor(s).

**House Bill No. 3196:** Rep(s). Hargett as prime sponsor(s).

**MESSAGE FROM THE SENATE**

**March 15, 2002**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 565; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

**MESSAGE FROM THE SENATE**

**March 15, 2002**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2018, 2181, 2189, 2316, 2317, 2371, 2385, 2407, 2515, 2625, 2676, 2797, 2805, 2806, 2898, 2943 and 2952; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

**MESSAGE FROM THE SENATE**

**March 15, 2002**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 549, 550, 551, 553, 556, 559, 560, 561, 564, 566, 568, 570, 571, 573, 574, 575, 577, 578, 579, 580, 581, 582, 583, 585, 586, 588 and 594; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

**SIGNED**

**March 15, 2002**

The Speaker signed the following: Senate Bill(s) No(s). 2018, 2181, 2189, 2316, 2317, 2371, 2385, 2407, 2515, 2625, 2676, 2797, 2805, 2806, 2898, 2943, 2952; also, Senate Joint Resolution(s) No(s). 549, 550, 551, 553, 556, 559, 560, 561, 564, 566, 568, 570, 571, 573, 574, 575, 577, 578, 579, 580, 581, 582, 583, 585, 586, 588 and 594.

**MESSAGE FROM THE SENATE**  
**March 18, 2002**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2719; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**\*Senate Bill No. 2719** -- Local Education Agency - Requires LEAs to make their operating policies available and accessible on their Web sites if such LEA's policies are kept in electronic format and if the LEA maintains website. Amends TCA Section 49-2-207. by \*Davis L. (HB2565 by \*Winningham)

**MESSAGE FROM THE SENATE**  
**March 18, 2002**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 604 and 605; adopted for concurrence.

RUSSELL A. HUMPHREY, Chief Clerk.

**Senate Joint Resolution No. 604** -- Memorials, Recognition - Bowman Hills Seventh-day Adventist Church, 100th Anniversary. by \*Miller J.

**Senate Joint Resolution No. 605** -- Memorials, Recognition - Holston Medical Group, 25 Years in Medicine. by \*Ramsey.

**PERSONAL ORDERS**

**RECOGNITION IN THE WELL**

Rep. McDaniel was recognized in the Well to introduce Mr. Ben Stein for remarks.

**INTRODUCTION OF RESOLUTIONS**

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

**House Joint Resolution No. 740** -- Naming and Designating - National Child Abuse Prevention and Awareness Month, April 2002. by \*Davis (Washington).

House Children and Family Affairs Committee

**House Joint Resolution No. 746** -- Constitutional Amendments - Requires three-fifths majority of each house of general assembly to raise rate of sales tax or any tax measured by income. by \*Rinks.

House Finance, Ways and Means Committee

**RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for March 25, 2002:

**House Joint Resolution No. 748** -- Memorials, Death - James Masco Meadows, Sr. by \*Bone.

**House Joint Resolution No. 749** -- Memorials, Death - Mary Elizabeth Enoch. by \*Bone.

**House Joint Resolution No. 750** -- Memorials, Recognition - Willie Leduc, Westmoreland Citizen of the Year. by \*McDonald.

**House Joint Resolution No. 751** -- Memorials, Personal Achievement - Patrick Ford, Eagle Scout. by \*Hargett, \*Pleasant.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for March 25, 2002:

**Senate Joint Resolution No. 589** -- Memorials, Retirement - Rabbi Rafael G. Grossman. by \*Cohen, \*Dixon.

**Senate Joint Resolution No. 590** -- Memorials, Death - Vaughn Edward Brewer. by \*Ramsey.

**INTRODUCTION OF BILLS**

On motion, the following bills were introduced and passed first consideration:

**\*House Bill No. 3250** -- Williamson County - Pursuant to local request, authorizes refunding bonds for prior bonded indebtedness of Franklin Special School District. Amends Chapter 563 of the Private Acts of 1949. by \*Casada.

**House Bill No. 3251** -- Perry County - Subject to local approval, authorizes legislative body to impose 5 percent hotel occupancy tax. by \*Tidwell.

**House Bill No. 3252** -- Normandy - Subject to local approval, rewrites charter of Town of Normandy. Amends Chapter 675 of the Private Acts of 1921. by \*Phillips.

**HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 3247** -- Harriman -- Local Bill Held on House Desk

**House Bill No. 3248** -- Polk County -- Local Bill Held on House Desk

**House Bill No. 3249** -- Erin -- Local Bill Held on House Desk

**CONSENT CALENDAR**

**House Bill No. 2657** -- Public Records - Provides certain records held by associations of elected governmental officials shall be deemed to constitute public records if such records pertain to assistance rendered to governing body in filling vacancy. Amends TCA Title 10, Chapter 7. by \*Winningham. (\*SB2720 by \*Davis L)

**House Bill No. 2565** -- Local Education Agency - Requires LEAs to make their operating policies available and accessible on their Web sites if such LEA's policies are kept in electronic format and if the LEA maintains website. Amends TCA Section 49-2-207. by \*Winningham. (\*SB2719 by \*Davis L)

On motion, House Bill No. 2565 was made to conform with **Senate Bill No. 2719**; the Senate Bill was substituted for the House Bill.

**House Bill No. 2687** -- Solid Waste Disposal - Relieves holder of security interest in solid waste facility or site from liability for cleanup or remediation of such site if security interest holder does not participate in management of such facility or site. Amends TCA Section 68-211-106. by \*Garrett. (\*SB2683 by \*Kyle)

**House Bill No. 3120** -- Nurses, Nursing - Enacts "Interstate Nurse Licensure Compact." Amends TCA Title 63, Chapter 7. by \*Armstrong, \*DeBerry J, \*Jones, S., \*Patton, \*Johnson, \*Ferguson, \*Pruitt. (\*SB2731 by \*Person)

On motion, House Bill No. 3120 was made to conform with **Senate Bill No. 2731**; the Senate Bill was substituted for the House Bill.

**House Bill No. 3121** -- Public Health - Revises requirements for tanning facilities; requires customers to sign statement and facilities to post warning signs concerning ultraviolet radiation. Amends TCA Title 68, Chapter 117. by \*Armstrong, \*DeBerry J, \*Jones, S., \*Patton, \*Johnson, \*Ferguson, \*Pruitt. (\*SB2030 by \*Kurita)

On motion, House Bill No. 3121 was made to conform with **Senate Bill No. 2030**; the Senate Bill was substituted for the House Bill.

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**\*House Bill No. 2579** -- Children - Bans compensation for teen court participants but permits youth to receive tokens of appreciation and to be reimbursed for travel expenses. Amends TCA Title 37, Chapter 1, Part 7. by \*Fowlkes. (SB2853 by \*Graves)

On motion, House Bill No. 2579 was made to conform with **Senate Bill No. 2853**; the Senate Bill was substituted for the House Bill.

**\*House Bill No. 3146** -- Taxes, Ad Valorem - Requires that repayment suits for wrongful collection be tried in county where taxes are collected. - TCA Section 67-1-904. by \*Fowlkes. (SB3130 by \*Rochelle)

**House Bill No. 2572** -- Civil Procedure - Clarifies that deposition cannot be taken before attorney but that attorney can still take deposition provided attorney is acting in official capacity when doing so. Amends TCA Section 24-9-136. by \*Buck. (\*SB2732 by \*Person)

**House Bill No. 2743** -- Sunset Laws - Tennessee dairy promotion committee, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 44, Chapter 19. by \*Kernell, \*Brooks, \*Cooper B. (\*SB2078 by \*Harper, \*Davis L)

On motion, House Bill No. 2743 was made to conform with **Senate Bill No. 2078**; the Senate Bill was substituted for the House Bill.

**House Bill No. 2716** -- Sunset Laws - Terminates recycling market advisory council. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 211. by \*Kernell, \*Brooks, \*Cooper B. (\*SB2063 by \*Harper, \*Burchett, \*Trail)

**House Bill No. 2757** -- Sunset Laws - Southern dairy compact, June 30, 2003. Amends TCA Title 4, Chapter 29 and Title 43, Chapter 35. by \*Kernell, \*Brooks, \*Cooper B. (\*SB2094 by \*Harper, \*Burchett, \*Trail)

On motion, House Bill No. 2757 was made to conform with **Senate Bill No. 2094**; the Senate Bill was substituted for the House Bill.

**House Bill No. 2736** -- Sunset Laws - Council of certified professional midwifery, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 63, Chapter 10. by \*Kernell, \*Brooks, \*Cooper B. (\*SB2114 by \*Harper, \*Burchett, \*Trail)

On motion, House Bill No. 2736 was made to conform with **Senate Bill No. 2114**; the Senate Bill was substituted for the House Bill.

**House Bill No. 2742** -- Sunset Laws - Tennessee Duck River development agency, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 64, Chapter 1. by \*Kernell, \*Brooks, \*Cooper B. (\*SB2077 by \*Harper, \*Burchett, \*Trail)

**House Bill No. 2714** -- Sunset Laws - Southern growth policies board, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 13, Chapter 2. by \*Kernell, \*Brooks, \*Cooper B. (\*SB2071 by \*Harper, \*Burchett, \*Trail)

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**House Bill No. 2771** -- Sunset Laws - Tellico reservoir development agency, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 64, Chapter 1. by \*Kernell, \*Brooks, \*Cooper B. (\*SB2081 by \*Harper, \*Burchett, \*Trail, \*McNally)

On motion, House Bill No. 2771 was made to conform with **Senate Bill No. 2081**; the Senate Bill was substituted for the House Bill.

**House Bill No. 2767** -- Sunset Laws - Tombigbee waterway development authority, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 69, Chapter 9. by \*Kernell, \*Brooks, \*Cooper B. (\*SB2084 by \*Harper, \*Burchett, \*Trail)

On motion, House Bill No. 2767 was made to conform with **Senate Bill No. 2084**; the Senate Bill was substituted for the House Bill.

**\*House Bill No. 2261** -- Railroads - Requires any entity constructing crossing or converting private crossing to public crossing to pay all associated costs; removes prohibition against department granting approval for construction or conversion on roads not designated as being on state system of highways. Amends TCA Section 65-11-101. by \*Newton, \*Ridgeway. (SB2325 by \*Haun)

On motion, House Bill No. 2261 was made to conform with **Senate Bill No. 2325**; the Senate Bill was substituted for the House Bill.

**\*House Bill No. 2116** -- Driver Licenses - Authorizes trial judge to issue restricted driver license to individual who does not have prior conviction for DUI or adult driving while impaired within 10 years of present violation. Amends TCA Section 55-10-403 and Section 55-50-502. by \*Newton. (SB2144 by \*Crutchfield)

On motion, House Bill No. 2116 was made to conform with **Senate Bill No. 2144**; the Senate Bill was substituted for the House Bill.

**\*House Bill No. 2908** -- Labor and Workforce Development, Dept. of - Clarifies that OSHA Form 300 reports, instead of Form 200 reports, are unaffected by state law provisions regarding work injury reports maintained by department. Amends TCA Section 50-3-702(b). by \*Pleasant. (SB2955 by \*Dixon)

On motion, House Bill No. 2908 was made to conform with **Senate Bill No. 2955**; the Senate Bill was substituted for the House Bill.

**\*House Bill No. 2900** -- Education - Changes grades of mandated comprehensive writing assessment from grades 4, 7, and 11 to one grade in elementary, middle, and high school as selected by state board of education. Amends TCA Title 49, Chapter 6, Part 60. by \*Boyer. (SB2947 by \*McNally)

**House Bill No. 2257** -- Highway Signs - "Isaac W. Northern, Jr. Bridge", I-55 overpass bridge on Winchester Road in Memphis. by \*Bowers. (\*SB2240 by \*Dixon)

On motion, House Bill No. 2257 was made to conform with **Senate Bill No. 2240**; the Senate Bill was substituted for the House Bill.

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**House Bill No. 2419** -- Growth and Development - Places property of airport with regularly scheduled commercial passenger service located in county other than county where creating municipality is located in annexation free zone. Amends TCA Title 6, Chapter 58, Part 1. by \*Tindell, \*Armstrong, \*Jones U (Shelby). (\*SB2421 by \*Atchley)

**\*House Bill No. 2422** -- Highway Signs - "Edward Franklin Burnett Memorial Bridge", State Route 48 in Dickson. by \*Shepard, \*Ridgeway, \*Tidwell.

**\*House Bill No. 2897** -- Education - Makes exit exam prior to high school graduation optional instead of mandatory; requires results be shared with legislative oversight committee on education. Amends Title 49, Chapter 6, Part 60. by \*Davis (Cocke). (SB2944 by \*McNally)

**House Bill No. 3217** -- Rhea County - Subject to local approval, restructures Rhea County board of education from seven to nine districts, coterminous with county legislative districts. - Repeals Chapters 167 and 581 of the Private Acts of 1953. by \*Walker . (SB3176 by \*Elsa)

**House Bill No. 3223** -- Chester County - Subject to local approval, repeals local act restricting operation of pool and billiard rooms in incorporated cities and towns located within Chester County. by \*McDaniel.

**House Bill No. 3227** -- Henry County - Subject to local approval, reduces Henry County board of education from six to five members. - Repeals Chapter 56 of the Private Acts of 1995. by \*Ridgeway. (SB3173 by \*Herron)

**House Bill No. 3228** -- Henry County - Subject to local approval, changes number of Henry County road commissioners from seven to six. Amends Chapter 326 of the Private Acts of 1972; as amended. by \*Ridgeway. (SB3171 by \*Herron)

**House Bill No. 3229** -- Hickman County - Subject to local approval, increases board of education from five members to seven members; provides for four-year staggered terms. - Repeals Chapter 234 of the Private Acts of 1992. by \*Shepard. (SB3179 by \*Jackson)

**House Bill No. 2459** -- Robertson County - Subject to local approval, transfers duties of juvenile court matters in general sessions court from county clerk to circuit court clerk. Amends TCA. by \*Davidson. (SB2389 by \*Graves)

On motion, House Bill No. 2459 was made to conform with **Senate Bill No. 2389**; the Senate Bill was substituted for the House Bill.

**House Bill No. 3233** -- Ridgely - Subject to local approval, rewrites charter. Amends Chapter 297 of the Acts of 1909; as amended. by \*Pinion. (SB3178 by \*Herron)

**House Bill No. 3239** -- Anderson County - Subject to local approval, restructures board of education. - Repeals Chapter 209 of the Private Acts of 1988. by \*Caldwell, \*Baird. (SB3187 by \*McNally)

**House Resolution No. 231** -- Memorials, Public Service - Tyson Foods, Inc. by \*Phillips, \*Garrett, \*Pinion.



**House Joint Resolution No. 745** -- Memorials, Sports - Vanderbilt Women's Basketball Team, 2002 SEC Tournament Champions, by \*Langster, \*McMillan, \*Roach, \*Ferguson, \*Kisber, \*Ridgeway, \*Shepard, \*Tindell, \*Arriola, \*Pruitt, \*Curtiss, \*Godsey, \*McCord, \*McDaniel, \*Brooks, \*Scroggs, \*Davis (Washington), \*Hagood, \*Pinion, \*Boyer, \*McDonald, \*Bittle, \*Bone, \*Baird, \*Davis (Cocke), \*Goins, \*Davidson, \*Buck, \*Hood, \*Garrett, \*Lewis, \*Brown, \*Kernell, \*Maddox.

**House Joint Resolution No. 747** -- Memorials, Death - Judson Boyton Murphy, by \*Overbey, \*McCord.

Rep. S. Jones moved that all members voting aye on House Joint Resolution No. 745 be added as sponsors, which motion prevailed.

**OBJECTION -- CONSENT CALENDAR**

Objection(s) was/were filed to the following on the Consent Calendar:

**House Bill No. 3146:** by Rep. Boyer

**House Bill No. 2742:** by Rep. Lewis

**House Bill No. 2419:** by Rep. McCord

Under the rules, House Bill(s) No(s). 3146, 2742 and 2419 was/were placed at the foot of the calendar for March 25, 2002.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....93  
Noes.....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odum, Overbey, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

REGULAR CALENDAR

**\*House Bill No. 2874** -- Workers' Compensation - Grants self-insured workers' compensation groups 90-day extension for filing audited financial statements with commissioner of commerce and insurance and makes certain information confidential. Amends TCA Title 50, Chapter 6, Part 4. by \*Kisber. (SB3128 by \*Rochelle)

Rep. Kisber moved that House Bill No. 2874 be passed on third and final consideration.

Rep. West moved adoption of Consumer and Employee Affairs Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2874 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 50-6-405(c), is amended by adding a new, appropriately numbered subdivision, which shall read as follows:

( ) Each group of employers qualifying as self-insurers pursuant to this subsection shall submit to the commissioner of commerce and insurance a statement of financial condition audited by an independent certified public accountant on or before the last day of the sixth month following the end of the group's fiscal year. A thirty (30) day extension of the financial statement filing requirement shall be granted by the commissioner of commerce and insurance upon receipt of a request, via certified mail, by a group. Any such request shall be submitted to the commissioner of commerce and insurance not less than thirty (30) days prior to the date such financial statement is due to be filed.

SECTION 2. Tennessee Code Annotated, Section 50-6-405(c) is further amended by adding a new, appropriately numbered subdivision, which shall read as follows:

( ) (A) At the request of a group of employers qualifying as self-insurers pursuant to this subsection, the commissioner of commerce and insurance, in the commissioner of commerce and insurance's sole discretion, may grant such additional thirty (30) day extensions to the financial statement filing requirements for acts of God, public enemies, fire, flood, storms or similar events constituting force majeure which cause it to require more time to meet the filing requirements.

(B) The commissioner of commerce and insurance, after notice and an opportunity for a hearing, may revoke the certificate of approval of a group of employers qualifying as self-insurers pursuant to this subsection if it fails to comply with this subsection or any rules promulgated hereunder. In addition to or in lieu of revoking a certificate of approval, the commissioner of commerce and insurance may assess a civil penalty of one hundred dollars (\$100) per day for failure to timely meet the filing requirements set forth herein. All hearings under this subsection shall be conducted pursuant to the Uniform Administrative Procedures Act, compiled at Tennessee Code Annotated Title 4, Chapter 5.

(C) Financial statements filed pursuant to this subsection, individual member financial statements, work papers, notes, internal documents generated by the department of commerce and insurance or any other information obtained by or disclosed to the commissioner of commerce and insurance pursuant to this chapter or any regulations promulgated hereunder, shall be confidential and shall not be disclosed to the public. This provision, however, shall not apply to the examination report prepared by the commissioner of commerce and insurance, or to any rebuttal to such examination reports submitted by or on behalf of the group examined. However, nothing contained in this subdivision shall be construed as prohibiting the commissioner of commerce and insurance from disclosing the above, or any matters relating thereto, to state agencies of this or any other state, or to law enforcement officials of this or any other state or agency of the federal government at any time.

(D) Upon receipt of a request from any approved authorized agent of a group of employers qualifying as self-insurers pursuant to this subsection, the group shall provide a copy of the annual statement of financial condition. Such agent, however, shall not further disseminate such information except for purposes of obtaining errors and omission insurance or in the exercise of due diligence of the agent on behalf of the agent's client seeking admission to the group. Further, any individual or entity obtaining a copy of the statement shall hold such information confidential and shall not share or disclose such information to any other individual or entity.

SECTION 3. This act shall take effect upon becoming law, the public welfare requiring it.

On motion, Consumer and Employee Affairs Committee Amendment No. 1 was adopted.

Rep. Kisber moved that **House Bill No. 2874**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	93
Noes.....	0

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Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

**House Joint Resolution No. 726** -- Memorials, Personal Occasion - Ms. Annie Cox, 79th birthday. by \*Bone, \*Buck.

Further consideration of House Joint Resolution No. 726 previously considered on March 14, 2002, at which time it was objected to on the Consent Calendar and reset for today's Regular Calendar.

Rep. Bone moved that House Joint Resolution No. 726 be reset for the Regular Calendar on April 8, 2002, which motion prevailed.

**House Bill No. 2483** -- Handgun Permits - Removes requirement that handgun carry permit holder's social security number must appear on handgun carry permit but provides that present permits displaying social security number remain valid. Amends TCA Title 39, Chapter 17, Part 13. by \*Bittle, \*Black, \*Johnson, \*Buttry, \*Baird. (\*SB2157 by \*McNally)

Further consideration of House Bill No. 2483 previously considered on March 14, 2002, at which time it was objected to on the Consent Calendar and reset for today's Regular Calendar.

Rep. Bittle moved that House Bill No. 2483 be passed on third and final consideration.

Rep. West moved the previous question, which motion prevailed.

Rep. Bittle moved that **House Bill No. 2483** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	92
Noes .....	1

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Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Wood, Mr. Speaker Naifeh -- 92.

Representatives voting no were: Brooks -- 1.

A motion to reconsider was tabled.

**House Bill No. 1913** -- Teachers, Principals and School Personnel - Adds "terms and conditions of service" and "working conditions" to areas of negotiation covered by Education Professional Negotiations Act; provides for liberal construction of terms. Amends TCA Section 49-5-601. by \*Davidson, \*Winningham, \*Williams, \*Shaw, \*Towns, \*Davis (Cocke), \*Whitson, \*Sands, \*Jones, S.. (\*SB467 by \*Kyle, \*Cooper J, \*Crutchfield)

Rep. Davidson requested that House Bill No. 1913 be moved to the heel of the Calendar.

**House Bill No. 1901** -- Commerce and Insurance, Dept. of - Makes confidentiality provisions concerning entities in receivership or supervision inapplicable to certain insurers that participate in medical assistance program. Amends TCA Title 56. by \*Sands, \*Maddox, \*Odom, \*Kisber. (\*SB324 by \*Clabough)

Rep. Maddox requested that House Bill No. 1901 be moved to the heel of the Calendar.

**\*House Bill No. 2361** -- County Government - Authorizes county, by two-thirds vote of its legislative body, to exercise certain additional powers granted to municipalities relative to nuisances and uses of property detrimental to health, morals, comfort, safety, convenience, or welfare of inhabitants of unincorporated areas of county. Amends TCA Section 5-1-118. by \*Curtiss. (SB2844 by \*Cooper J)

Rep. Curtiss moved that House Bill No. 2361 be reset for the Regular Calendar on April 1, 2002, which motion prevailed.

**House Bill No. 2618** -- Courts, General Sessions - Confers upon master of environmental court of Davidson County same authority as general sessions judge to issue process and conduct proceedings to which master is assigned. Amends Chapter 212 of the Public Acts of 1993. by \*Briley, \*Jones, S., \*Turner (Davidson), \*Langster, \*Pruitt. (\*SB2744 by \*Haynes)

Rep. Briley moved that House Bill No. 2618 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2618 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Chapter 212 of the Public Acts of 1993 is amended by adding the following new SECTION 3 and by renumbering present SECTION 3 and SECTION 4 accordingly:

SECTION 3. (a) In addition to the authority granted the judge of Division IV in Section 2, such judge may appoint one (1) or more suitable person(s) to act as referee(s) at the pleasure of the judge. A referee shall be licensed to practice law in this state and shall hold office at the pleasure of the judge. The compensation of a referee shall be fixed by the judge with the approval of the legislative body of the county to which this act applies, and paid from public funds.

(b) The judge may direct that any case or class of cases shall be heard in the first instance by the referee in all cases wherein the Division IV court has jurisdiction in the manner provided for the hearing of such cases by the court.

(c) A referee has the same authority as the judge to issue any and all process. The referee in the conduct of the proceedings has the powers of a trial judge.

(d) Any party may, within five (5) days after a case is heard by a referee, excluding nonjudicial days, file a request with the court for a hearing by the judge of Division IV. The judge may, on the judge's own motion, order a rehearing of any matter heard before a referee, and shall allow a hearing if a request for such hearing is filed as herein prescribed. Unless the judge orders otherwise, the recommendation of the referee shall be the decree of the court pending a rehearing.

(e) In case no hearing before the judge is requested or when the right to a hearing is waived, the findings of the referee become the decree of the court.

(f) All prior sections governing the organization, jurisdiction, and management of Division IV court referred to in this act, which are not in conflict with this section, remain in full force and effect, and all other sections in conflict with this section are hereby repealed.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

**MONDAY, MARCH 18, 2002 – SEVENTY-NINTH LEGISLATIVE DAY**

Rep. Briley moved that **House Bill No. 2618**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....93  
Noes .....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

**\*House Bill No. 2337** -- Emergency Communications Districts - Authorizes board of directors of district created after July 1, 2002, to be legislative body of municipality creating district. Amends TCA Section 7-86-105(b) and Section 7-86-314. by \*Sargent, \*Casada. (SB2473 by \*Blackburn)

On motion, House Bill No. 2337 was made to conform with **Senate Bill No. 2473**; the Senate Bill was substituted for the House Bill.

Rep. Sargent moved that Senate Bill No. 2473 be passed on third and final consideration.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 2473 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 7-86-105(b), is amended by adding a new subdivision thereto, as follows:

(7)(A) Notwithstanding the provisions of this section to the contrary, in any emergency communications district created by a municipality after July 1, 2002, the board of directors of the district may be the legislative body of such municipality. The terms of the members of the legislative body shall run concurrently with their terms as members on the board of directors.

(B) In the event the provisions of sub-item (A) are in effect for an emergency communications district, and any member of the emergency communications district board is removed pursuant to the provisions of § 7-86-314, then the mayor shall appoint a private citizen to serve in the member's place until such time as the replaced member no longer serves on the legislative body of the municipality. Such appointment shall be subject to confirmation by the remaining members of the board of directors of the district.

(C) In the event the provisions of sub-item (A) are in effect for an emergency communications district, and the entire emergency communications district board is removed pursuant to the provisions of § 7-86-314, then the mayor shall appoint private citizens to serve in each such member's place until such time as the replaced members no longer serves on the legislative body of the municipality. Such appointment shall be subject to confirmation by the board.

(D) Nothing in this subdivision (7) shall be construed to be contrary to the provisions of § 7-86-310.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. Sargent moved that **Senate Bill No. 2473**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....93  
Noes .....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Roach, Rowland, Sands, Sargent, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.



**MONDAY, MARCH 18, 2002 – SEVENTY-NINTH LEGISLATIVE DAY**

**House Bill No. 834** -- Insurance Companies, Agents, Brokers, Policies - Adds "alien insurance company" as defined term under general provisions of department of commerce and insurance. Amends TCA Title 56. by \*McDaniel. (\*SB175 by \*Atchley)

Rep. McDaniel moved that House Bill No. 834 be reset for the Regular Calendar on March 25, 2002, which motion prevailed.

**House Bill No. 3196** -- Consumer Protection - Requires providers of cellular communication services to publish and furnish to its customers, prospective consumers, and to consumer division of office of attorney general accurate map of its service areas, including areas within such service area where there is no service or inadequate signals to support viable communication services. Amends TCA Title 47, Chapter 18 and Title 65. by \*Fitzhugh. (\*SB3153 by \*Cooper J)

Rep. Fitzhugh moved that House Bill No. 3196 be reset for the Regular Calendar on March 25, 2002, which motion prevailed.

**House Bill No. 2620** -- Liens - Expands methods of delivering notice of nonpayment for mechanics and materialmen's liens to owner and contractor contracting with owner from only registered or certified mail, return receipt requested, to include hand delivery, other commercial delivery service, and electronic mail, all with confirmation of delivery. Amends TCA Section 66-11-145. by \*White, \*Sargent. (\*SB2478 by \*Graves, \*Clabough)

On motion, House Bill No. 2620 was made to conform with **Senate Bill No. 2478**; the Senate Bill was substituted for the House Bill.

Rep. White moved that Senate Bill No. 2478 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 2478 By deleting from Section 2 the language "(2) hand delivery with confirmation of delivery; (3) any other commercial delivery service which can confirm delivery of notice; or (4) electronic mail with confirmation of delivery of the notice, shall contain:" and by substituting instead the language "(2) hand delivery with sworn statement, properly notarized, confirming delivery of written notice; or (3) any other commercial delivery service which can confirm delivery of notice; shall contain:".

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. White moved that **Senate Bill No. 2478**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	90
Noes .....	1

**MONDAY, MARCH 18, 2002 – SEVENTY-NINTH LEGISLATIVE DAY**

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jones S, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Wood, Mr. Speaker Naifeh -- 90.

Representatives voting no were: Boyer -- 1.

A motion to reconsider was tabled.

**House Bill No. 2441** -- Aircraft and Airports - Reduces board of metropolitan airport authority established by Chattanooga from 11 to nine; establishes transition procedure by authorizing chief executive to dissolve current board and appoint new board with three-year staggered terms. Amends TCA Section 42-4-105. by \*Wood. (\*SB2352 by \*Fowler)

On motion, House Bill No. 2441 was made to conform with **Senate Bill No. 2352**; the Senate Bill was substituted for the House Bill.

Rep. Wood moved that Senate Bill No. 2352 be passed on third and final consideration.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 2352 by deleting in SECTION 1, the word and figure "six (6)" and by substituting instead the word and figure "five (5)" and by deleting the word "city" and by substituting instead the word "county".

On motion, State and Local Government Committee Amendment No. 1 was adopted.

On motion, Rep. U. Jones withdrew State and Local Government Committee Amendment No. 2.

Rep. Wood moved that **Senate Bill No. 2352**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....91  
Noes .....0

**MONDAY, MARCH 18, 2002 – SEVENTY-NINTH LEGISLATIVE DAY**

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Stanley, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Wood, Mr. Speaker Naifeh -- 91.

A motion to reconsider was tabled.

**\*House Bill No. 2271** -- Public Health - Enacts "Tennessee Emergency Health Powers Act." Amends TCA Title 68. by \*Bowers. (SB2392 by \*Dixon)

Rep. Bowers moved that House Bill No. 2271 be reset for the Regular Calendar on March 25, 2002, which motion prevailed.

**\*House Bill No. 2247** -- Employees, Employers - Reduces maximum maternity leave under statute from four months to 17 work weeks. Amends TCA Section 4-21-408. by \*Sharp. (SB2309 by \*Fowler)

Rep. Sharp moved that House Bill No. 2247 be passed on third and final consideration.

Rep. Briley moved that House Bill No. 2247 be reset for the Regular Calendar on April 1, 2002, which motion prevailed.

**House Bill No. 2404** -- Teachers, Principals and School Personnel - Specifies conditions under which teachers retain right to remain on preferred list for re-employment. Amends TCA Section 49-5-511. by \*Davis (Cocke). (\*SB2275 by \*McNally)

On motion, House Bill No. 2404 was made to conform with **Senate Bill No. 2275**; the Senate Bill was substituted for the House Bill.

Rep. Davis (Cocke) moved that Senate Bill No. 2275 be passed on third and final consideration.

On motion, Rep. Brown withdrew Education Committee Amendment No. 1.

Rep. Davis (Cocke) moved that **Senate Bill No. 2275** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	94
Noes .....	0

**MONDAY, MARCH 18, 2002 – SEVENTY-NINTH LEGISLATIVE DAY**

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**House Bill No. 2615** -- Motor Vehicles, Titling and Registration - Specifies that payment of fee equal to cost of actually designing and manufacturing military cultural plates only applicable upon initial issuance or reissuance of plates, and not applicable at renewal. Amends TCA Title 55, Chapter 4, Part 2. by \*Rowland. (\*SB2764 by \*Trail)

Rep. Rowland moved that House Bill No. 2615 be passed on third and final consideration.

Rep. Goins moved the previous question, which motion failed.

Rep. Rhinehart moved to re-refer House Bill No. 2615 to the Committee on Calendar and Rules, which motion failed by the following vote:

Ayes .....	41
Noes .....	48
Present and not voting .....	3

Representatives voting aye were: Armstrong, Arriola, Bone, Bowers, Briley, Brooks, Brown, Caldwell, Cole (Dyer), Curtiss, Davidson, DeBerry J, DeBerry L, Ferguson, Fitzhugh, Garrett, Givens, Hargrove, Head, Hood, Jones U, Kisber, Lewis, Maddox, McDonald, McMillan, Miller, Phelan, Phillips, Pruitt, Rhinehart, Rinks, Shaw, Shepard, Tidwell, Tindell, Turner (Hamilton), Turner (Shelby), Turner (Davidson), White, Mr. Speaker Naifeh -- 41.

Representatives voting no were: Baird, Beavers, Bittle, Black, Boyer, Buck, Bunch, Buttry, Casada, Chumney, Clem, Cole (Carter), Cooper, Davis (Washington), Davis (Cocke), Dunn, Ford, Fowlkes, Godsey, Goins, Hagood, Hargett, Harwell, Kent, Kernell, McCord, McDaniel, McKee, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Pinion, Pleasant, Roach, Rowland, Sargent, Scroggs, Sharp, Stanley, Todd, Vincent, West, Westmoreland, Whitson, Wood -- 48.

Representatives present and not voting were: Fraley, Walker, Windle -- 3.

Rep. Rowland moved that House Bill No. 2615 be reset for the Regular Calendar on March 25, 2002, which motion prevailed.

**\*House Bill No. 2108** -- Naming and Designating - Names National Guard Armory in Erwin in honor of "Erwin Nine." by \*Whitson, \*Cole (Carter). (SB2131 by \*Haun)

On motion, House Bill No. 2108 was made to conform with **Senate Bill No. 2131**; the Senate Bill was substituted for the House Bill.

Rep. Whitson moved that Senate Bill No. 2131 be passed on third and final consideration.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 2131 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION 3. (a) This act shall become operative only if the cost of the erection of such signs is paid to the department of the military from non-state funds within one (1) year of the effective date of this act or if the city of Erwin manufactures such signs in accordance with the provisions of subdivision (2). Such payment shall be made prior to any expenditure by the state for the manufacture or installation of such signs. The department shall return any unused portion of the estimated cost to the persons or entity paying for such sign within thirty (30) days of the erection of such sign. If the actual cost exceeds the estimated cost, an amount equal to the difference in such costs shall be remitted to the department in non-state funds within thirty (30) days of receiving an itemized invoice of the actual cost from the department.

(2) Erwin may manufacture and erect such signs provided that such signs are manufactured and erected pursuant to state and federal guidelines and approved by the department.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Whitson moved that **Senate Bill No. 2131**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....92  
Noes .....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Roach, Rowland, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Wood, Mr. Speaker Naifeh -- 92.

## MONDAY, MARCH 18, 2002 – SEVENTY-NINTH LEGISLATIVE DAY

A motion to reconsider was tabled.

**House Bill No. 1913** -- Teachers, Principals and School Personnel - Adds "terms and conditions of service" and "working conditions" to areas of negotiation covered by Education Professional Negotiations Act; provides for liberal construction of terms. Amends TCA Section 49-5-601. by \*Davidson, \*Winningham, \*Williams, \*Shaw, \*Towns, \*Davis (Cocke), \*Whitson, \*Sands, \*Jones, S.. (\*SB467 by \*Kyle, \*Cooper J, \*Crutchfield)

Further consideration of House Bill No. 1913 previously considered on today's Calendar.

Rep. Davidson moved that House Bill No. 1913 be reset for the Regular Calendar on March 25, 2002, which motion prevailed.

**House Bill No. 1901** -- Commerce and Insurance, Dept. of - Makes confidentiality provisions concerning entities in receivership or supervision inapplicable to certain insurers that participate in medical assistance program. Amends TCA Title 56. by \*Sands, \*Maddox, \*Odom, \*Kisber. (\*SB324 by \*Clabough)

Further consideration of House Bill No. 1901 previously considered on today's Calendar.

Rep. Sands moved that House Bill No. 1901 be reset for the Regular Calendar on March 25, 2002, which motion prevailed.

## UNFINISHED BUSINESS

### RULES SUSPENDED

Rep. Davidson moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 753 out of order, which motion prevailed.

**House Joint Resolution No. 753** -- General Assembly, Recess & Reconvene - Provides for certain recesses of the Senate and House of Representatives beginning at the close of business in both houses on Monday, March 18, 2002: with the Senate to return for one day, on Wednesday, March 27, 2002; the House to return for one day, on Monday, March 25, 2002; and with both houses to recess again until Wednesday, April 3, 2002. by \*Davidson.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Davidson, and seconded by Rep. McDaniel, the resolution was adopted.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Mumpower moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 605 out of order, which motion was immediately withdrawn.

**ANNOUNCEMENTS**

**RULES SUSPENDED**

After further announcements, Rep. Mumpower moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 605 out of order, which motion prevailed.

**Senate Joint Resolution No. 605** -- Memorials, Recognition - Holston Medical Group, 25 Years in Medicine. by \*Ramsey.

On motion of Rep. Mumpower, the resolution was concurred in.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Newton moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 604 out of order, which motion prevailed.

**Senate Joint Resolution No. 604** -- Memorials, Recognition - Bowman Hills Seventh-day Adventist Church, 100th Anniversary. by \*Miller J.

On motion of Rep. Newton, the resolution was concurred in.

A motion to reconsider was tabled.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 1247:** Rep(s). Head as prime sponsor(s).

**House Bill No. 2242:** Rep(s). Arriola as prime sponsor(s).

**House Bill No. 2639:** Rep(s). McMillan and Davidson as prime sponsor(s).

**House Bill No. 2941:** Rep(s). Briley as first prime sponsor(s).

**House Bill No. 2991:** Rep(s). J. DeBerry, Ridgeway, Sands, Curtis, Phelan, Shaw, Davis (Cocke) and Rinks as prime sponsor(s).

**SPONSORS REMOVED**

On motion, Rep(s). Odom was/were removed as sponsor(s) of **House Bill No. 2941**.

**ENGROSSED BILLS**

**March 18, 2002**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2422, 2483, 2572, 2618, 2657, 2687, 2714, 2716, 2897, 2900, 3217, 3223, 3227, 3229, 3228, 3233, 3239, also, House Joint Resolution(s) No(s). 745, 747, and 753.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENGROSSED BILLS**

**March 18, 2002**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2874.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**March 18, 2002**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2013, 3031 and 3209; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**MESSAGE FROM THE SENATE**

**March 18, 2002**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 753; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**MESSAGE FROM THE SENATE**

**March 18, 2002**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2368; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.



**MESSAGE FROM THE SENATE**

**March 18, 2002**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3239; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**MESSAGE FROM THE SENATE**

**March 18, 2002**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 175; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**\*Senate Bill No. 175** -- Insurance Companies, Agents, Brokers, Policies - Adds "alien insurance company" as defined term under general provisions of department of commerce and insurance. Amends TCA Title 56. by \*Atchley. (HB834 by \*McDaniel)

**MESSAGE FROM THE SENATE**

**March 18, 2002**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3073; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**MESSAGE FROM THE SENATE**

**March 18, 2002**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2844; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**Senate Bill No. 2844** -- County Government - Authorizes county, by two-thirds vote of its legislative body, to exercise certain additional powers granted to municipalities relative to nuisances and uses of property detrimental to health, morals, comfort, safety, convenience, or welfare of inhabitants of unincorporated areas of county. Amends TCA Section 5-1-118. by \*Cooper J. (\*HB2361 by \*Curtiss)

**MESSAGE FROM THE SENATE**

**March 18, 2002**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2874; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**MESSAGE FROM THE SENATE**

**March 18, 2002**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 125, 686, 687, 688, 689, 690, 694, 695, 696, 697, 699, 700, 701, 702, 703, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 716, 717, 719, 720, 721, 722, 725, 727, 728, 729, 730, 731, 732, 733, 734, 736, 737, 738, 739 and 744; all concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**CONSENT CALENDAR**

**March 18, 2002**

The following local bills have been placed on the Consent Calendar for **March 25, 2002**: House Bill(s) No(s). 2679, 3234, 3245, 3244, 3238, 3241, 3242, 3236, 3248, 3216, 3247, 3249, 3243 and 3235.

**ROLL CALL**

The roll call was taken with the following results:

Present.....93

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargrove, Harwell, Head, Hood, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Wood, Mr. Speaker Naifeh -- 93.

**RECESS MOTION**

On motion of Rep. Davidson and pursuant to House Joint Resolution No. 753, the House stood in recess until 4:00 p.m., Monday, March 25, 2002.